IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 16322 of 2004

Between:

Pirla Subbarao, S/o Late Ramulu,
R/o Nellipudi Village, Gangavaram Mandal,
East Godavari District

..... PETITIONER

AND

1 The Addl.Agent to the Govt. E.G.District at Rampachodavaram
2 The Special Deputy Collector, Tribal Welfare, Rampachodavaram,
East Godavari District
3 The Mandal Revenue Officer, Gangavaram Mandal, East Godavari District
4 The Special Deputy Tahsildar, Tribal Welfare, Gangavaram, E.G.District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring the order passed by the 1st respondent in C.M.A.No.28/2003 dated 14-07-2004 dispatched on 23-08-2004 which was filed against the order in L.T.R.P.No.68/2002, dated 11-3-2003 on the file of the 2nd respondent as illegal, arbitrary and unjust and consequently set aside the orders passed by the 1st & 2nd respondents in the interest of justice and consequently direct the respondents not to evict me from the land to an extent of Ac.2.13 cents situated in Sy.No.309 of Nellipudi Village, Gangavaram Mandal, East Godavari District

Counsel for the Petitioner:MR.K.VENKATESH

Counsel for the Respondents:GP FOR TRIBAL WELFARE

The Court at the stage of admission made the following ORDER:

Section 6 of the Scheduled Areas Land Transfer Regulations, 1959 provides a revision against the order passed by the first respondent-Additional Agent to the Government, East Godavari District. In view of the same, the petitioner is at liberty to file a revision against the order passed by the first respondent in C.M.A.No.28 of 2003, dated 14-07-2004.

The petitioner without availing an alternative remedy, straight away approached this Court and filed the present writ petition which cannot be entertained by this Court. However, the petitioner is at liberty to avail an alternative remedy available to him and status quo with regard to the possession of the property in question shall be maintained for a period of four weeks enabling the petitioner to obtain necessary orders from the revisional authority.

With the above observation, the writ petition is dismissed. No costs.

13th SEPTEMBER, 2004.

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To

1 The Additional Agent to the Govt. E.G.District at Rampachodavaram
2 The Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District
3 The Mandal Revenue Officer, Gangavaram Mandal, East Godavari District
4 The Special Deputy Tahsildar, Tribal Welfare, Gangavaram, E.G.District

5 Two CCs to the Government Pleader for Tribal Welfare, A.P.High Court Buildings, Hyderabad. (OUT)

6 Two CD copies.